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C O N F I D E N T I A L SAN SALVADOR 001555

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DEPT FOR WHA/FO SNIDLE, WHA/CEN CRAIG, AND INL/LP MARTIN

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TAGS: ES PINS PREL PTER

SUBJECT: ACTION REQUEST: SAN SALVADOR ASSESSMENT OF CENTRAL AMERICA SECURITY REQUIREMENTS

REF: STATE 107145

Classified By: Ambassador Charles L. Glazer. Reasons: 1.4 (b) and (d).

¶1. (U) Introduction: There are numerous policy actions and USG-funded assistance that the government of El Salvador (GOES) could effectively use as part of a comprehensive regional security strategy for Central America. The proposed GOES policy actions discussed below, some of which could prove politically difficult, are essential if El Salvador is to move forward on violent crime. Carefully targeted U.S. assistance which complements the suggested policy actions would further strengthen Salvadoran law enforcement and judicial institutions and enhance GOES ability to contribute to regional security. End Introduction.

¶2. (C) Embassy San Salvador recommends that the GOES undertake the following policy actions in support of CENTAM regional security efforts:

-- Take back the streets: In order for any security strategy to work, Salvadoran citizens must feel safe walking down the streets and using public transportation. The GOES must enshrine this fundamental objective at the forefront of all public security planning and crime control strategy formulation. Furthermore, GOES public security planning must incorporate best practices such as the 'broken windows' theory of policing that played a prominent role in dramatically reducing violent crime in New York.

-- Articulate a unified national crime control strategy: Despite the best of intentions, the GOES and the PNC have to date been unable to articulate a consistent message on crime. More importantly, they have yet to formulate a clear, unified national strategy to bring crime under control. Appointing a senior level official who has the support of the executive, judicial, and legislative branches and tasking him with bringing all GOES entities together under a unified strategic plan would potentially facilitate the articulation of a clear, consistent message concerning crime. It would also give the USG and other interested parties a central point of contact, and a logical interface for coordination.

-- Move forward with extradition: Although a bilateral extradition treaty has been in existence since 1911, El Salvador has not to date extradited any nationals to the U.S. or any other country. Moreover, the actual judicial and procedural mechanisms for GOES processing of an extradition request are unclear. Developing a robust extradition regime would help to eliminate sanctuary for transnational criminals, and strengthen bilateral and regional anti-gang efforts.

-- Take control of the prison system: The prison system has weak internal controls, and gang members are able to continue operating while incarcerated. Smuggling of cell phones and other contraband into the prison system facilitates ongoing gang activity.

-- Implement targeted judicial reform: The Salvadoran judicial system would benefit from several specific reforms, many of which were recommended in the recently released report of the National Commission for Citizen Security and Social Peace. The USG should urge the GOES to establish an effective system for evaluating the performance of judges, institute measures to foster closer adherence to judicial precedent, and promote uniformity and consistency in judicial hearings. The GOES should amend the bail system to prevent the release of criminals pending trial for serious offenses such as murder. The GOES should pass a new criminal procedure code, to include rules of evidence. On an institutional level, the GOES should restructure the police and prosecutors offices and the associated budgets. The USG should also urge the GOES to pass legislation creating an independent national forensics institute.

-- Pass an asset forfeiture law: Although the GOES has been working on an asset forfeiture law since August 2006, all indications are that the process is stalled as a result of private sector concerns over tax evasion and the possibility of running afoul of money laundering controls. Should the GOES summon the political will to surmount these obstacles, an asset forfeiture law would be a powerful tool against street gangs and other transnational criminals. Asset forfeiture would also help to fund the PNC and the Fiscalia.

-- Increase the size and enhance the efficacy of the PNC: The

PNC is seriously understaffed, and the shortage of officers prevents the institution from placing sufficient numbers of officers on the streets in high-crime areas. Additional officers could be put to good use in a concerted effort to operationalize community policing practices, as well as reinforcing public confidence in the efficacy and professionalism of the force.

-- Pass a wiretap law: The lack of a wiretap statute significantly hampers GOES ability to investigate and prosecute organized crime. Passing wiretap legislation is politically difficult, in that a two-thirds majority of the legislative assembly will have to vote in favor of a constitutional amendment allowing for wire taps. Nonetheless, the potential investigative and prosecutorial benefits of wiretap legislation are significant.

13. (C) Proposed U.S. assistance to CENTAM Regional Security Strategy:

-- Increase funding for current and planned El Salvador-based regional programs, to include the Tactical Anti-Gang Unit (TAG), the Regional Gang Advisor, IAFIS, and INL-funded prison reform, should be the foundation of the regional CENTAM security strategy. Moreover, for any regional security plan to succeed, it is imperative that the TAG and IAFIS programs be expanded to Honduras and Guatemala.

-- Establish a regional forensics training hub at ILEA. CENTAM law enforcement and judicial institutions are hampered by the lack of a robust forensics capability. Offering enhanced forensics training at the ILEA, to include ballistics and firearms evidence evaluation, could enable Salvadoran and regional law enforcement entities to more quickly discover links between crimes and to gain valuable insights into transnational gang operations.

-- Significantly increase USG funding, institutional support, and training for CENTAM vetted units. Vetted units

have proven to be key instruments in regional progress against narcotics traffickers. Additional USG funding could increase coordination and enhance information sharing among regional CENTAM vetted units, and eventually pave the way for the establishment of a regional coordination center. Enhanced ILEA funding could also expand training opportunities for individuals assigned to vetted units.

-- Establish a block grant program to assist municipalities with community-based crime prevention programs.

-- Establish national first offender rehabilitation programs similar to the one currently used in the state of Florida.

¶4. (C) Proposed El Salvador-specific U.S. assistance: The following proposals would strengthen GOES law enforcement and judicial capabilities, and potentially sow the seeds for expanded regional cooperation.

-- Fund a significant increase in the number of PNC officers. USG financial assistance to the PNC should include the stipulation that the additional police officers engage in street-level community policing, and that the local PNC command structure take responsibility for the neighborhood in which it is assigned.

-- Provide direct U.S. support to an expansion of the number of Salvadoran prison facilities. Prison modernization and the implementation of best practices common in the U.S. would significantly increase GOES ability to control the prison population and curtail the ongoing criminal activities of imprisoned street gang leaders.

-- Support the GOES in launching a public transportation security initiative. The Salvadoran public transportation sector, which consists mainly of privately-owned buses operating on informal routes, is seriously impacted by street crime. Increasing security and oversight in the public transportation sector is key to any successful national crime control strategy. U.S. financial assistance could provide increased PNC presence at major bus stops and on key bus routes, as well as fund outside assessments of possible public transportation security options available to the GOES.

-- Fund the establishment of a Salvadoran forensics institute. Establishing a robust forensics capability in El Salvador will improve national investigative and judicial capabilities, and possibly encourage future regional training and cooperation.

-- Provide cell-phone blocking technology coverage to the entire Salvadoran prison system. Large-scale implementation of cell phone blocking technology could seriously impede the ability of imprisoned street gang members to operate from behind bars.

-- Provide a U.S. contractor to assist with development of a national community policing model/strategy. Hiring a U.S. contractor to evaluate current PNC staffing and operations, and recommend a community policing strategy, could help the GOES to more effectively focus resources on public security. Exposure to best practices and policing models such as the broken windows theory could help the PNC make optimal use of available resources.

-- Assuming that El Salvador passes a new criminal procedure code, provide significant funding for an intensive judicial training and evaluation initiative focused on court and prosecutor office personnel.

-- Establish a vetted alien-smuggling unit. USG financing and technical assistance could help stand up a dedicated alien-smuggling unit. A successful GOES vetted alien-smuggling unit could serve as the foundation for expanding the program region-wide.

-- Establish a pilot program in El Salvador for an NCIC-like

system. Enabling the Salvadoran police, immigration, and customs officials to share basic information on criminal suspects would be a significant improvement over current capabilities. A system providing secure internet access over which GOES officials can share basic information such as name, DOB, identifying characteristics, criminal affiliation, and incarceration and release history would markedly enhance law enforcement cooperation and operational awareness.

Successful implementation of a Salvadoran NCIC-like system could also serve as the foundation for regional expansion, as well as potential tie-in to the U.S. NCIC system.

-- Expand funding for Salvadoran national, municipal, and/or NGO-sponsored community-based crime prevention programs.

¶5. (U) Post appreciates this opportunity to comment on CENTAM regional security requirements, and looks forward to further collaboration with WHA and INL.

Glazer